

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 5:09cr14-DCB-LRA

REBECCA ANN JAMES

**PRELIMINARY ORDER OF
FORFEITURE FOR SUBSTITUTE ASSETS**

THIS CAUSE comes before the Court upon the United States of America's Motion for a Preliminary Order of Forfeiture [47] for \$5,681.89 Treasury Offset Program ("TOP") payment as a substitute asset in satisfaction of Defendant Rebecca Ann James' \$5,786.77 forfeiture money judgment.

Being fully advised of the relevant facts, the Court hereby finds that:

Pursuant to 21 U.S.C. § 853, the Court entered an Agreed Preliminary Order of Forfeiture [35] against James for a forfeiture money judgment in the amount of \$5,786.77.

Pursuant to 21 U.S.C. § 853, the Court further finds that the United States has only collected two prior TOP payments of \$97.88 and \$7.00 toward James' forfeiture money judgment, and the current balance remains \$5,681.89.

The United States received a payment of \$5,681.89, seized from James through TOP.

The Court further finds that the United States complied with the notice requirement as set forth in 31 U.S.C. § 3720A(b)(2), and James did not object to entry of her debt in TOP.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the United States of America's motion is GRANTED.

It is FURTHER ORDERED that, pursuant to 21 U.S.C. § 853(p) and Federal Rule of Criminal Procedure 32.2(e)(1)(B), the TOP payment of \$5,681.89 is hereby preliminarily

forfeited to the United States pending determination of any third-party interests.

The Court retains jurisdiction to address any third-party claim that may be asserted in these proceedings, to enter any further order necessary for the forfeiture and disposition of such property, and to order any other substitute assets forfeited to the United States up to the amount of the forfeiture money judgment.

SO ORDERED this 21st day of June, 2023.

s/David Bramlette
UNITED STATES DISTRICT JUDGE